

1 JUDGE TIFFANY M. CARTWRIGHT
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

8 BRIAN TOFTE, in his Personal Capacity;
9 CYNTHIA ALDERETTE, in her personal
capacity; MICHAEL B. SMITH, Personal
Representative of the Estate of JUSTIN LEE
10 TOFTE, deceased,

11 Plaintiffs,

12 v.

13 CITY OF LONGVIEW, et. al.

14 Defendants.

NO. 3:22-cv-05700-TMC

STIPULATED MOTION TO AMEND
CAPTION

NOTE ON MOTION CALENDAR:
March 1, 2024

15 **I. STIPULATION**

16 For good cause shown and pursuant to Federal and Local Rule of Civil Procedure 16(b)(6),
17 all Parties to this matter respectfully and jointly move the Court for entry of an order correcting
18 the case caption as described in detail below.

19 Pursuant to Federal Rule of Civil Procedure 10 and 15(a)(2), Plaintiffs Bryan Tofte,
20 Cynthia Alderette, and Michael T. Smith, and Defendants City of Longview, a political
21 subdivision of the State of Washington; Robert Huhta, Interim Chief of the Longview Police
22 Department, in his personal capacity; Jordan Sanders, in his personal capacity; Matt Hartley, in
23 his individual capacity; John Reeves, in his personal capacity, (collectively, "Parties") move this

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25 STIPULATED MOTION TO AMEND CAPTION
AND ORDER - 1
NO. 3:22-cv-05700-TMC

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1 Court to amend the case caption in the above-captioned matter due to a minor scrivener's error.
2 The Personal Representative's middle initial should be "T" and not "B." Plaintiffs move that the
3 amended case caption should read:

4 BRIAN TOFTE, in his Personal Capacity;
5 CYNTHIA ALDERETTE, in her personal
6 capacity; **MICHAEL T. SMITH**, Personal
7 Representative of the Estate of JUSTIN LEE
8 TOFTE, deceased,
9 Plaintiffs,
10 v.
11 CITY OF LONGVIEW, a political
12 subdivision of the State of Washington;
13 ROBERT HUHTA, Interim Chief of the
14 Longview Police Department, in his personal
15 capacity; JORDAN SANDERS, in his
16 personal capacity; MATT HARTLEY, in his
17 individual capacity; JOHN REEVES, in his
18 personal capacity; JOHN and JANE DOES 1-
19 10, in their personal capacities,
20 Defendants.

21 For good cause shown and pursuant to FRCP 10 and 15(a)(2), all parties to this matter
22 stipulate as follows:

23 1. No party has been prejudiced by this scrivener's error.
24 2. Parties consent to the change from Michael B. Smith to Michael T. Smith.

25 Based upon the stipulation and agreements set forth above, the parties stipulate to the filing
of the Agreed Order below.

26 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

27 DATED: March 1, 2024

28 GALANDA BROADMAN, PLLC

29 *Attorneys for Plaintiffs*

30 s/ Ryan Dreveskracht

31 Ryan D. Dreveskracht, WSBA #42593

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34 STIPULATED MOTION TO AMEND CAPTION
35 AND ORDER - 2
36 NO. 3:22-cv-05700-TMC

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7 DATED: March 1, 2024

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9 BOGDANOVICH
10 *Attorneys for Defendants City of Longview,
11 Robert Huhta, Jordan Sanders, Matt
12 Hartley, and John Reeves*

13 s/ John Justice
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25 STIPULATED MOTION TO AMEND CAPTION
AND ORDER - 3
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ORDER

Pursuant to the Stipulation above, the Court hereby orders that the case caption be amended to reflect Michael T. Smith in lieu of Michael B. Smith as agreed by the Parties.

DATED this 4th day of March, 2024.



Tiffany M. Cartwright
United States District Judge

STIPULATED MOTION TO AMEND CAPTION
AND ORDER - 4
NO. 3:22-cv-05700-TMC

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